

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JACOB J. DANLEY and  
JEFFREY J. MACINTYRE, JR.,

Plaintiffs,

Case No. 15-CV-11535

vs.

HON. GEORGE CARAM STEEH

ENCORE CAPITAL GROUP, INC.,  
MIDLAND FUNDING, LLC, and  
MIDLAND CREDIT MANAGEMENT, INC.,

Defendants.

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ORDER REGARDING SCHEDULING CONFERENCE

On this date the court held a Rule 16 conference with counsel in the above-captioned case. At the conference, defendants' counsel indicated his desire to further investigate the contractual provisions that can be proven to govern the relationship between the parties and the enforceability of the putative arbitration agreement. Counsel asked for an additional 60 days to renew the request for an order referring the matter to arbitration. The court GRANTS the request for an additional 60 days and accordingly, defendants have until March 14, 2016 to renew their motion to compel arbitration. In advance of filing their renewed motion, defendants are required to produce all evidence they rely upon to establish the contractual provisions in place, if any, that govern the determination of the motion. Failure to renew the request for referral to arbitration with satisfactory evidence to establish the terms and conditions pertinent to the motion will result in an order denying same with prejudice.

The court next considered a request by plaintiffs' counsel for additional time to conduct discovery before bringing a motion to amend their motion for class certification [doc. 12]. The motion for class certification was filed May 18, 2015, and briefing on the motion was stayed by stipulated order filed June 15, 2015. Now, therefore, for purposes of case administration only,

IT IS HEREBY ORDERED that plaintiffs' motion for class certification is DENIED WITHOUT PREJUDICE. The court GRANTS plaintiffs' request for additional time to amend, giving plaintiffs until September 1, 2016 to file a renewed motion for class certification.

Dated: January 13, 2016

s/George Caram Steeh  
GEORGE CARAM STEEH  
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on January 13, 2016, by electronic and/or ordinary mail.

s/Marcia Beauchemin  
Deputy Clerk